

The Honorable Marsha J. Pechman

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SAMMAMISH HOMEOWNERS, THOMAS
E. HORNISH AND SUZANNE J. HORNISH
JOINT LIVING TRUST, TRACY AND
BARBARA NEIGHBORS, ARUL MENEZES
AND LUCRETIA VANDERWENDE,
HEBERT MOORE AND ELYNNE MOORE,
AND REID AND TERESA BROWN

Plaintiffs,

vs.

KING COUNTY, a home rule charter county,

Defendants.

Case No.: 15-cv-00284MJP

MOTION FOR EXTENSION OF TIME TO
FILE AMENDED COMPLAINT

NOTE ON CALENDAR:
06/26/2015

COME NOW Plaintiffs Sammamish Homeowners, Thomas E. Hornish and Suzanne J. Hornish Joint Living Trust, Tracy and Barbara Neighbors, Arul Menezes and Lucretia Vanderwende, Herbert and Elynne Moore, and Reid and Teresa Brown, pursuant to this Court's Order dated June 5, 2015 (D.E. 19), and move for a 30 day extension to file their Amended Complaint to comply with this Court's directive for Plaintiffs to file a second amended complaint which addresses the findings in the Court's Order to prove standing to bring their causes of action.

In support of this motion, Plaintiffs state: (1) that chains of title will need to be prepared

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PAGE 1

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1 by title companies and 14 days is not enough time to complete a chain of title for each Plaintiff;
2 (2) Plaintiffs will need to employ an expert witness to testify regarding the chains of title with
3 an opinion that no grantor in the chain of title expressly reserved unto themselves the former
4 railroad right-of-way such that under Washington law, each grantors' intent controls and each
5 grantor is presumed to convey all that they own unless expressly stating otherwise; and (3)
6 Plaintiffs will provide this Court with case law providing that the words "reserve" a right-of-
7 way does not amount to a reservation unto the grantor intending to expressly reserve the right-
8 of-way unto themselves but, rather, only intending to merely note that the land is encumbered
9 with an easement.
10

11 Respectfully submitted,

12 Date: June 18, 2015

STEWART. WALD & McCULLEY

13
14 By /s/ Thomas S. Stewart

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of June 2015, the foregoing was filed electronically with the Clerk of the Court to be served by the operation of the Court's electronic filing system upon all parties of record.

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